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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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DOG M  
MINERALS PROGRAM  
FILE COPY

August 4, 1989

Mr. Bryan Nielson, Plant Manager  
Continental Lime Incorporated  
Box 266  
Delta, Utah 84624

Dear Mr. Nielson:

Re: Review of Permit Revision, Variance Requests/Reclamation Surety Estimate,  
Poison and Cricket Mountain Quarry, M/027/006-89(1), Millard County, Utah

The Division has completed its review of your April 3, 1989 application for a permit revision which includes three (3) variance requests and a revised reclamation surety estimate. The Bureau of Land Management has jointly reviewed this application and concurs with the technical positions as outlined in this letter. Please accept our apologies for the unforeseen delay in forwarding our technical review to you. The following concerns must be addressed before we can consider issuing a tentative approval for this permit revision:

### **R613-004-106 - Operation Plan**

The operator has indicated in the surety estimate that all reclamation will occur at the end of the mine life. If some of the reclamation work were performed concurrently with production, the surety liability could be reduced. Although the operator mentions this practice, an adequate time table has not been included in the revision.

### **R613-004-107 - Operation Practices**

The operator proposes to construct berms at the end of the mine life, if the Division approves the highwall variance. Upon approval of this variance, the Division recommends that the operator immediately construct the berms on finished highwalls. This will make the area safe and reduce the surety requirement.

### **R613-004-107(5) - Operation Practices, Soils**

Reference Operator's, Environmental Review, II A. 2nd Paragraph

The operator indicates that topsoil will be salvaged from the dump area and stockpiled. The Division requires that topsoil material be stored in a stable and safe condition. We suggest that the material be stabilized by reseeding with an interim seed mixture. We also suggest that the stockpiles be protected by posting topsoil stockpile warning signs.

### **R613-004-110 - Reclamation Plan**

Pursuant to the recommendations as outlined in Holland Shepherd's August 29, 1988 letter, the Division will require that the revegetation test plots be established this fall. Please notify us prior to actual implementation. The Division and the BLM will need to review and approve of the final test plot design details.

### **R613-004-112 - Variance**

The operator has requested three variances:

#### **R613-004-111(6) - Slopes**

The operator has requested a slope variance for the waste dump(s). The request describes a final waste dump slope at the angle of repose. It is the Division's opinion that the repose angle of 37 degrees will not support acceptable vegetation. It is our opinion that a more gradual, graded slope will support vegetation. For this reason, and the fact that the waste material has a relatively low seismic velocity (i.e., easily graded and/or ripped), the Division must **deny** this request.

If the operator's test plot program proves that the waste material will not support an acceptable vegetative cover, then the slopes can be left at the angle of repose. However, the operator will be required to bond for 3:1 waste dump slopes now. This extra amount could be refunded, depending upon the outcome of the test plot program results.

#### **R613-004-111(7) - Highwalls**

The operator has requested a highwall variance. The operator indicates that the existing highwalls are stable and in competent strata. Additionally, the surrounding natural cliffs are steeper and higher than the proposed highwalls. The operator's maps indicate that the average pit highwalls range from 58 to 82 degrees steep. The working slopes, however, range from 22 degrees in the lowest pit to 55 degrees in the topmost pit. It is unlikely that the State will gain significant usable ground by requiring the operator to maintain a 45 degree highwall in competent material.

The Division **will grant** its approval of this variance **with the following condition(s)**:



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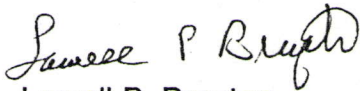
On May 11, 1989, the Division received a copy of a replacement reclamation surety bond (no. [redacted]) from Fireman's Fund Insurance Company in the amount of \$38,020 for the Cricket Mountain Mine. This bond was meant to replace an existing surety bond for the same amount filed by Reliance Insurance Company (bond no. [redacted]). We have received two cancellation notices from United Pacific Insurance Company (dba., Reliance Insurance Company) which require our confirmation and signature. The previous incomplete Affidavit of Qualification, has now been properly signed and notarized by Continental Lime. Therefore, we can now release the original surety bond and return the cancellation form to Reliance Insurance Company.

**R613-004-118 - Revisions**

The Division has determined that this Notice of Intention to Revise Large Mining Operations must be categorized as a permit revision. Consequently, this revision will require public notice, a 30-day public comment period, and concurrence from the Board of Oil, Gas and Mining on the amount and form of reclamation surety.

Thank you for your cooperation in completing this permitting action. Please contact me or D. Wayne Hedberg should you have questions pertaining to the requirements of this letter.

Sincerely,

  
Lowell P. Braxton  
Associate Director, Mining

DWH/jb  
Attachments

cc: Dave Henderson, BLM, Warm Springs Resource Area  
Jerry Mansfield, State Lands  
Wayne Hedberg  
Scott Johnson  
Holland Shepherd  
MN3/32-35